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December 2, 2003

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attorney Docket No.: 004-7440

Transmitted herewith for filing is a patent application as follows:

Inventor(s): Shirish Rai and Christine Tomlinson  
Title: METHOD AND APPARATUS FOR ADAPTIVE LOAD BALANCING  
Assignee: Sun Microsystems, Inc.

Enclosed are:

Application Data Sheet (2 page(s))  
 Request for Non-Publication and Certification under 35 U.S.C. 122(b)(2)(B)(i)  
(1 page(s))  
27 Pages of Written Description (including Specification, Claims and Abstract)  
6 Sheets of Drawings, X Formal /    Informal  
 Declaration for Patent Application (4 pages), X Executed/    Unexecuted  
 Assignment of the Invention (5 pages, including Cover Sheet)  
 Information Disclosure Statement (\_\_\_\_ pages)  
 with Form(s) PTO 1449 (\_\_\_\_ page(s)) and copies of \_\_\_\_ reference(s)  
 Other: Check in the amount of \$2,140.00;  
 This Transmittal Letter (in duplicate) (1 page(s))  Return Postcard

**CLAIMS AS FILED**

	Number Filed	Number Extra	Rate	Fee
Basic Fee =				770.00
Total Claims	70 - 20	= 50	x \$18.00 =	900.00
Independent Claims	8 - 3	= 5	x \$86.00 =	430.00
Multiple Dependent Claims (if any) - \$290.00 fee				
Other: Recordation of Assignment Document				40.00
<b>TOTAL FILING FEE</b>				<b>\$2,140.00</b>

Small entity status is entitled to be asserted for the application.  
 A check is enclosed for the Total Filing Fee shown above.  
 Please charge the Total Filing Fee shown above to Deposit Account 50-0631.  
 The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. § 1.16 or 1.17 that may be required during the pendency of this application, and to similarly credit any overpayment, to Deposit Account 50-0631.

**EXPRESS MAIL LABEL NO.**  
**EV 401 038 670 US**

Respectfully submitted,



Steven R. Gilliam, Reg. No. 51,734  
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22141 U.S.PTO  
10/725738  
120203  


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Shirish Rai and Christine Tomlinson

Title: METHOD AND APPARATUS FOR ADAPTIVE LOAD BALANCING

Application No.: Not Yet Assigned Filed: Herewith

Examiner: Not Yet Assigned Group Art Unit: Not Yet Assigned

Atty. Docket No.: 004-7440

December 2, 2003

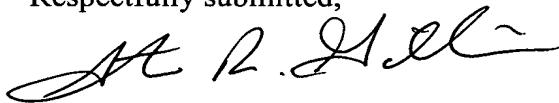
Mail Stop Patent Application  
 COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**REQUEST FOR NONPUBLICATION  
 AND CERTIFICATION (35 U.S.C. § 122(b)(2)(B)(i))**

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. § 122(b).

EXPRESS MAIL LABEL NO.:  
 EV 401 038 670 US

Respectfully submitted,



Steven R. Gilliam, Reg. No. 51,734  
 Attorney for Applicant(s)  
 (512) 338-6320  
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*This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.*

*Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.*

*If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).*